

**No. 13809-4Lab-75/1824**—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act, No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the presiding Officer, Labour Court Haryana, Rohtak in respect of the dispute between the workman and the management of M/S Gulati Textile Industry, Panipat:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 93 of 1975

between

SHRI GURU CHARAN AND THE MANAGEMENT OF M/S GULATI TEXTILE INDUSTRY,  
PANIPAT

AWARD

By order No. ID/14337 dated 16th October, 1975 of the Governor of Haryana, the following dispute between the management of M/s Gulati Textile Industry, Panipat and its workman Shri Guru Charan was referred for adjudication to this court, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947.

“Whether the termination of services of Shri Guru Charan was justified and in order? If not, to what relief is he entitled?”

The management put in their appearance on 21st November, 1975 before me, at Panipat, in response to the notice of reference sent to them. The workman, however, did not appear despite personal service of notice of reference sent to him. The management relied on statement of the workman Exhibit M. 1 made by him in-writing on 21st July, 1975 withdrawing the demand raised by him on the management leading to the reference while giving out that all his claims under the demand had been satisfied.

Shri Vishnu Dutt appearing for the management made a statement while proving the statement Exhibit M. 1 as duly made and signed by the workman in his presence and deposed that all claims of the workman under the demand raised by him on the management leading to the reference had been satisfied.

I see no reason to disbelieve the statement of Shri Vishnu Dutt particularly when the proceedings against the workman are *ex-parte* and he had not taken care to pursue the demand made by him.

I thus relying on the statement of Shri Vishnu Dutt hold that the demands of the workman have been satisfied and there is now no dispute between the parties requiring adjudication. I return a no dispute award with no order as to costs.

MOHAN LAL JAIN,

Presiding Officer,

Labour Court, Haryana,

Rohtak.

Dated 27th November, 1975.

**No. 13870-4Lab-75/1826**—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workman and the management of M/s West Patent Press, Company (P) Ltd; Panipat:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 9 of 1974

between

SHRI RAM LAL AND THE MANAGEMENT OF M/S WEST PATENT PRESS COMPANY  
(P) LTD., PANIPAT.

AWARD

By order No. ID/KNL/178-B-71/2351-55, dated 24th January, 1974 of the Governor of Haryana, the following dispute between the management of M/s West Patent Press, Company (P) Ltd., Panipat

and its workman Shri Ram Lal was referred for adjudication to this court, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947.

“ Whether the termination of services of Shri Ram Lal was justified and in order ? If not, to what relief is he entitled ?

The parties appeared in this court in response to the notices of reference sent to them and filed their statements in respect of their pleas with the result that the following issues were framed,—*vide* order dated, 30th September, 1974:—

1. Whether Shri Ram Lal, workman concerned was engaged on temporary basis and had absented himself from duty from 5th October, 1973 on onwards on receipt of his dues in full and final settlement of his entire claims against the management ?
2. Whether the termination of services of Shri Ram Lal was justified and in order ? If not, to what relief is he entitled ?

No. authorised representative for the management appeared subsequent to the framing of issues with the result that *ex parte* proceedings were taken up against them on 20th November, 1975, and the workman was directed to adduce his *ex parte* evidence on 21st November, 1975.

Neither the workman nor his authorised representative appeared on 21st November, 1975 leading to a conclusion that neither party was interested in pursuing the reference and there is no dispute between them requiring adjudication. I hold accordingly and return a no dispute award. No. order as to costs.

Dated the 27th November, 1975.

MOHAN LAL JAIN,

Presiding Officer,

Labour Court, Haryana,  
Rohtok.

No. 14520-4Lab-75/1981.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/S Globe Metal Industries Ltd., Mathura Road, Faridabad:—

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA FARIDABAD

Reference No. 112 of 1972

between

SHRI GOVERDHAN, WORKMAN AND THE MANAGEMENT OF M/S GLOBE METAL  
INDUSTRIES LTD., MATHURA ROAD, FARIDABAD

#### AWARD

By order No. ID/FD/72/43226, dated 14th December, 1972 the Governor of Haryana, referred the following dispute between the management of M/s Globe Metal Industries Ltd., Mathura Road, Faridabad and its workman Shri Goverdhan to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Goverdhan was justified and in order ? If not, to what relief is he entitled ?

The parties appeared in this Tribunal in response to the notice of reference sent to them and filed their pleadings giving rise to the following issue:—

- (1) Whether the demand the subject matter of the present reference was first raised on the management and rejected by it before taking up the matter for conciliation ? If not, with what effect ? (on workman).

- (2) Whether it is a case of loss of lien of service of the workmen concerned and as such it is not covered by section 2-A of the Industrial Disputes Act, 1947 ? (on management)
- (3) Whether the termination of services of Shri Goverdhan is justified and in Order ? If not with what effect ?

Shri Roshan Lal Sharma authorised representative for the workman admitted the correctness of the written settlement arrived at between the parties on 1st September, 1975 and the signatures of the workman on the Voucher relating to the payment to him of a sum of Rs. 549.75 from the management in full and final satisfaction of his claim and on an application purporting to be of the workman withdrawing his demand.

It is obvious from the admission of Shri Roshan Lal of the correctness of both these documents, that the demands raised by the workman leading to this reference have been fully satisfied and there is now no dispute between the parties requiring adjudication.

I accordingly answer the reference in terms of my findings and return a no dispute award.

MOHAN LAL JAIN,

Presiding Officer,

Dated 24th December, 1975

Industrial Tribunal, Haryana,  
Faridabad.

No. 1788, dated the 24th December, 1975

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

The 20th January, 1976

No. 93-4Lab-76/1983.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s Rubber Ways Company Private Limited, Mathura Road, Faridabad.

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD.

Reference No. 27 of 1975

between

SHRI MOHD. LIYAKAT, WORKMAN AND THE MANAGEMENT OF M/S RUBBER WAYS  
COMPANY PRIVATE LIMITED, MATHURA ROAD, FARIDABAD.

AWARD

By order No. ID/FD/74/2890, dated 21st July, 1975 the Governor of Haryana, referred the following dispute between the management of M/s Rubber Ways Company Private Limited, Mathura Road, Faridabad and its workman Shri Mohd. Liyakat to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Mohd. Liyakat was justified and in order ? If not, to what relief is he entitled ?

The parties appeared in this Tribunal in response to the notice of reference sent to them.

On an objection raised by the management, that the workman Shri Mohd. Liyakat was never their employee and was on the other hand an employee of M/s Rubber Ways, a Partnership firm and as such, the reference made impleading M/s Rubber Ways Co. (P) Ltd., a party as a result of a demand raised by the workman on them, was bad in law, the workman prayed for an adjournment on 6th October, 1975 for getting an amendment made in the reference from the Government.

The prayer for an adjournment for getting an amendment made in the reference amounted to an admission of the workman of the plea of the management.

Whereas Shri R. C. Sharma appeared for the management on 26th December, 1975 the date of adjourned hearing, the workman and his authorised representative absented themselves on that date leading to a conclusion in respect of the correctness of the plea of the management and their inability to get the reference corrected.

I as such hold while accepting the plea of the management that the workman was never in the employment of the respondent and the reference impleading the latter as a party is void in law and the former is not entitled to any relief.

I thus answer the reference while returning the award in terms of my findings made above.

Dated the 30th December, 1975.

MOHAN LAL JAIN,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 1826, dated 31st December, 1975

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

Dated the 31st December, 1975.

MOHAN LAL JAIN,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

P. P. CAPRIHAN,  
Commissioner and Secy